

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER

FILED

2012 MAR -1 P 1:51

WEST WARREN-VIOLA,
UTILITY DISTRICT,

Plaintiff,

v.

AMERICAN ALTERNATIVE
INSURANCE CORPORATION,

Defendant.

No. 4:12-cv-17

Jury Demand

Mattice Carter

Chief Judge _____

Magistrate Judge _____

U.S. DISTRICT COURT
EASTERN DIST. TENN.

CLERK

NOTICE OF REMOVAL

Defendant American Alternative Insurance Corporation files this Notice of Removal in compliance with 28 U.S.C. § 1441 and 28 U.S.C. § 1446 and as grounds would respectfully show unto this Honorable Court as follows:

1. Plaintiff filed suit against Defendant on January 9, 2012 in the Circuit Court for Warren County, Tennessee, Case Number 4124. An Amended Complaint was filed on January 24, 2012. The United States District Court, Eastern District of Tennessee at Winchester embraces Warren County, Tennessee. A true and correct copy of the Complaint, Amended Complaint and Summons are attached as Exhibit A.

2. Defendant was served with the Complaint and Amended Complaint via the Tennessee Department of Commerce and Insurance on February 2, 2012. Defendant is the sole Defendant in this action and received the Complaint and Amended Complaint from the Department on February 14, 2012.

3. The Complaint alleges damages in excess of \$75,000.00.

4. This Court has jurisdiction of Plaintiff's claims due to diversity of citizenship pursuant to 28 U.S.C. § 1332 and Plaintiff's suit is removable to this Court pursuant to 28 U.S.C. § 1441 and 28 U.S.C. § 1446.


5. The Complaint and Amended Complaint correctly allege that Plaintiff is a citizen of Tennessee and that Defendant's principal place of business is New Jersey and it is incorporated in Delaware. Thus, Defendant was a corporate citizen of Delaware and New Jersey on the date of filing of the Complaint and Amended Complaint, and as of the date of this Notice of Removal.

6. Defendant will promptly file a copy of this Notice of Removal with the Circuit Court of Warren County, Tennessee.

WHEREFORE, Defendant American Alternative Insurance Corporation prays to this Court to remove this cause of action from the Circuit Court of Warren County, Tennessee to this Court for further proceedings.

Respectfully Submitted,

BUERGER, MOSELEY & CARSON, PLC

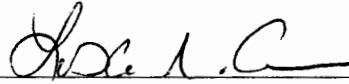
A handwritten signature in cursive script, appearing to read "Lisa M. Carson", is written over a horizontal line.

Lisa M. Carson, BPR #14782

Attorney for American Alternative Insurance Corporation
306 Public Square
Franklin, Tennessee 37064
(615) 794-8850

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been delivered via U.S. Mail, postage prepaid, to Robert W. Newman, Galligan & Newman, Counsel for Plaintiff, P.O. Box 289, McMinnville, Tennessee 37111 on this the 29th day of February, 2012.

A handwritten signature in black ink, appearing to read "Lisa M. Carson", written over a horizontal line.

Lisa M. Carson

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